

NAYS—65

Barrett (WI)	Furse	Nadler
Becerra	Ganske	Oberstar
Berry	Gutierrez	Obey
Blumenauer	Hinche	Paul
Brown (CA)	Hoekstra	Payne
Brown (OH)	Hooley	Ramstad
Campbell	Jackson (IL)	Riggs
Chenoweth	Kennedy (MA)	Rivers
Conyers	Kind (WI)	Roukema
Davis (IL)	Klug	Royce
DeFazio	Kucinich	Rush
DeGette	LoBiondo	Sanders
Delahunt	Lofgren	Sanford
Dellums	Lowe	Sensenbrenner
Doggett	Luther	Shays
Ehlers	McDermott	Stark
Eshoo	McGovern	Torres
Farr	McKinney	Vento
Fattah	McNulty	Watt (NC)
Filner	Miller (CA)	Woolsey
Frank (MA)	Minge	Yates
Franks (NJ)	Morella	

NOT VOTING—12

Bonilla	Hastings (FL)	Owens
Foglietta	Hinojosa	Rogan
Gibbons	Largent	Schiff
Gonzalez	McInnis	Solomon

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.14 COMMERCE, JUSTICE, STATE, JUDICIARY APPROPRIATIONS

The SPEAKER, pursuant to House Resolution 239 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair.

¶107.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HYDE:

Page 116, strike line 16 and all that follows through line 2 on page 117 and insert the following:

SEC. 616. ATTORNEYS FEES AND OTHER COSTS IN CERTAIN CRIMINAL CASES.

During fiscal year 1997 and in any fiscal year thereafter, the court, in any criminal case pending on or after the date of the enactment of this Act, shall award, and the United States shall pay, to a prevailing party, other than the United States, a reasonable attorney's fee and other litigation costs, unless the court finds that the position of the United States was substantially justified or that other special circumstances make an award unjust. Such awards shall be granted pursuant to the procedures and limitations provided for an award under section 2412 of title 28, United States Code. Fees and other expenses awarded under this provision to a party shall be paid by the agency over which the party prevails from any funds made available to the agency by appropriation. No new appropriations shall be made as a result of this provision.

It was decided in the affirmative { Yeas 340
Nays 84

¶107.16 [Roll No. 443]

AYES—340

Abercrombie	Ewing	Luther
Ackerman	Farr	Maloney (CT)
Aderholt	Fattah	Maloney (NY)
Archer	Fawell	Manton
Armey	Fazio	Manzullo
Bachus	Filner	Mascara
Baessler	Flake	McCarthy (NY)
Baker	Foglietta	McCollum
Ballenger	Foley	McCrery
Barcia	Forbes	McDade
Barr	Ford	McHale
Barrett (NE)	Fowler	McHugh
Bartlett	Fox	McIntosh
Barton	Franks (NJ)	McIntyre
Bass	Frelinghuysen	McKeon
Bateman	Gallegly	Meehan
Becerra	Ganske	Meek
Berry	Gekas	Metcalf
Bilbray	Gilchrest	Mica
Bilirakis	Gillmor	Millender-
Bishop	Gilman	McDonald
Bliley	Goode	Miller (FL)
Blunt	Goodlatte	Minge
Goodling	Goodling	Moakley
Gordon	Gordon	Mollohan
Goss	Goss	Moran (KS)
Graham	Graham	Moran (VA)
Granger	Granger	Morella
Green	Green	Murtha
Greenwood	Greenwood	Myrick
Gutknecht	Gutknecht	Neal
Hall (OH)	Hall (OH)	Nethercutt
Hall (TX)	Hall (TX)	Neumann
Hansen	Hansen	Ney
Harman	Harman	Northup
Hastert	Hastert	Norwood
Hastings (WA)	Hastings (WA)	Nussle
Hayworth	Hayworth	Oberstar
Hefley	Hefley	Obey
Hefner	Hefner	Ortiz
Herger	Herger	Owens
Hill	Hill	Oxley
Hilleary	Hilleary	Packard
Hilliard	Hilliard	Pappas
Hobson	Hobson	Parker
Hoekstra	Hoekstra	Pascrell
Holden	Holden	Pastor
Hooley	Hooley	Paul
Horn	Horn	Paxon
Hostettler	Hostettler	Payne
Houghton	Houghton	Pease
Hulshof	Hulshof	Peterson (MN)
Hunter	Hunter	Peterson (PA)
Hutchinson	Hutchinson	Pickering
Hyde	Hyde	Pickett
Inglis	Inglis	Pitts
Istook	Istook	Pombo
Jackson (IL)	Jackson (IL)	Pomeroy
Jackson-Lee	Jackson-Lee	Porter
(TX)	(TX)	Portman
Jefferson	Jefferson	Poshard
Jenkins	Jenkins	Price (NC)
John	John	Pryce (OH)
Johnson (CT)	Johnson (CT)	Quinn
Johnson, Sam	Johnson, Sam	Radanovich
Jones	Jones	Rahall
Kanjorski	Kanjorski	Ramstad
Kaptur	Kaptur	Redmond
Kasich	Kasich	Regula
Kelly	Kelly	Reyes
Kildee	Kildee	Riley
Kilpatrick	Kilpatrick	Rodriguez
Kim	Kim	Roemer
King (NY)	King (NY)	Rogers
Kingston	Kingston	Rohrabacher
Klecza	Klecza	Ros-Lehtinen
Klink	Klink	Roukema
Klug	Klug	Roybal-Allard
Knollenberg	Knollenberg	Royce
Kolbe	Kolbe	Rush
LaFalce	LaFalce	Ryun
LaHood	LaHood	Sabo
Lantos	Lantos	Salmon
Largent	Largent	Sanford
Latham	Latham	Saxton
Lazio	Lazio	Scarborough
Leach	Leach	Schaefer, Dan
Lewis (CA)	Lewis (CA)	Schaffer, Bob
Lewis (KY)	Lewis (KY)	Scott
Linder	Linder	Serrano
Lipinski	Lipinski	Sessions
Livingston	Livingston	Shadegg
LoBiondo	LoBiondo	Shaw
Lucas	Lucas	Shays

Shimkus	Strickland	Visclosky
Shuster	Stump	Walsh
Sisisky	Sununu	Wamp
Skeen	Talent	Waters
Skelton	Tanner	Watkins
Smith (MI)	Tauzin	Watt (NC)
Smith (NJ)	Taylor (MS)	Watts (OK)
Smith (OR)	Taylor (NC)	Weldon (FL)
Smith (TX)	Thomas	Weldon (PA)
Smith, Linda	Thompson	Weller
Snowbarger	Thornberry	Wexler
Snyder	Thune	Weygand
Solomon	Thurman	White
Souder	Tiahrt	Whitfield
Spence	Tierney	Wicker
Spratt	Towns	Wise
Stabenow	Trafficant	Wolf
Stark	Upton	Wynn
Stearns	Velazquez	Young (AK)
Stenholm	Vento	Young (FL)

NOES—84

Allen	Gephardt	Mink
Andrews	Gutierrez	Nadler
Baldacci	Hamilton	Olver
Barrett (WI)	Hinche	Pallone
Bentsen	Hinojosa	Pelosi
Bereuter	Johnson (WI)	Petri
Berman	Johnson, E.B.	Rangel
Blagojevich	Kennedy (MA)	Riggs
Blumenauer	Kennedy (RI)	Rivers
Bonior	Kennelly	Rothman
Brown (CA)	Kind (WI)	Sanchez
Brown (OH)	Kucinich	Sanders
Cardin	Lampson	Sandlin
Clay	LaTourette	Sawyer
Collins	Levin	Schumer
Coyne	Lewis (GA)	Sensenbrenner
Davis (FL)	Lofgren	Sherman
DeGette	Lowe	Skaggs
Delahunt	Markey	Slaughter
DeLauro	Martinez	Smith, Adam
Dellums	Matsui	Stokes
Dingell	McCarthy (MO)	Stupak
Doggett	McDermott	Tauscher
Eshoo	McGovern	Torres
Frank (MA)	McKinney	Turner
Frost	McNulty	Waxman
Furse	Menendez	Woolsey
Gejdenson	Miller (CA)	Yates

NOT VOTING—9

Bonilla	Gonzalez	McInnis
Conyers	Hastings (FL)	Rogan
Gibbons	Hoyer	Schiff

So the amendment was agreed to.

¶107.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCOTT:

Page 29, line 10, insert after the amount "(reduced by \$258,750,000)" and insert as follows: page 28, line 17, after the amount insert "(increased by \$80,000,000)"; page 29, line 20, after the amount insert "(increased by \$13,000,000)" and on line 22, after the amount insert "(increased by \$8,000,000)" and on line 25 after the amount insert "(increased by \$40,000,000)"; page 31, line 1, after the amount insert "(increased by \$37,000,000)" and on line 21 after the amount insert "(increased by \$76,750,000)" and on line 13 after the amount insert "(increase by \$4,000,000)".

It was decided in the { Yeas 129
negative Nays 291

¶107.18 [Roll No. 444]

AYES—129

Abercrombie	Carson	Dixon
Allen	Clay	Doggett
Baldacci	Clayton	Dooley
Barrett (WI)	Clyburn	Doyle
Barton	Conyers	Ehlers
Becerra	Coyne	Eshoo
Berman	Cummings	Farr
Bilbray	Cunningham	Fattah
Bishop	Davis (FL)	Fazio
Blumenauer	Davis (IL)	Filner
Bonior	DeFazio	Flake
Boyd	DeGette	Foglietta
Brown (FL)	Delahunt	Ford
Brown (OH)	DeLauro	Frank (MA)